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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/818,207	03/27/2001	Eliot M. Case	1812 (USW 0618 PUS)	2488
22193	7590	11/14/2005	EXAMINER	
QWEST COMMUNICATIONS INTERNATIONAL INC LAW DEPT INTELLECTUAL PROPERTY GROUP 1801 CALIFORNIA STREET, SUITE 3800 DENVER, CO 80202			ALBERTALLI, BRIAN LOUIS	
			ART UNIT	PAPER NUMBER
			2655	

DATE MAILED: 11/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/818,207

Applicant(s)

CASE ET AL.

Examiner

Brian L. Albertalli

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,9 and 10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7,9 and 10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Prosecution on the merits of this application is reopened on claims 1-7 and 9-10 considered unpatentable for the reasons indicated below.

The rejections of claims 1-7 and 9-10 are withdrawn in view of the newly discovered reference(s) to Trader et al. (U.S. Patent 5,832,432). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-5 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Trader et al. (U.S. Patent 5,832,432).

In regard to claim 1, Trader et al. disclose a method for converting text (ad text) to concatenated voice (column 1, lines 58-60) by utilizing a digital voice library (hard drive with audio files, column 2, lines 50-52) and a set of playback rules (program that creates audio ads in a natural sounding way, column 3, lines 3-6), the digital voice library including a plurality of speech items and a corresponding plurality of voice recordings wherein each speech item corresponds to at least one available voice recording (file names and actual files of audio data, column 3, lines 14-17), the method comprising:

receiving text data (Fig. 2, step 38, column 3, lines 36-42);

expanding the text data to form a sequence of text and pseudo words (step 56, abbreviated version of text ad is expanded, column 4, lines 6-10);

converting the sequence of text and pseudo words into a sequence of speech items in accordance with the digital voice library (steps 60 and 62, the text is parsed by words and phrases according to words and phrases in the ad vocabulary, column 4, lines 10-19);

converting the sequence of speech items into a sequence of voice recordings in accordance with the set of playback rules (step 66, a sequenced list of audio files is created with a set of rules, column 4, lines 19-22);

generating voice data based on the sequence of voice recordings by concatenating adjacent recordings in the sequence of voice recordings (step 70, a successfully constructed audio ad is added to the audio ad database, column 4, lines 22-25 and column 1, lines 58-60);

wherein the plurality of speech items includes a plurality of phrases (phrases are matched in step 60, column 4, lines 10-19), and wherein converting the sequences of text and pseudo words further includes parsing the sequence of text and pseudo words to determine any phrases (the parsing process determines whether phrases in the ad are available in the audio store, column 4, lines 10-19).

In regard to claim 2, Trader et al. disclose expanding the text data further comprises:

searching the text data for an abbreviation (Fig. 2, step 56, abbreviations are compared to an abbreviation list to find the abbreviations in the ad, column 4, lines 6-10; see also Fig. 3b, step 106 and column 4, lines 60-62); and

expanding any abbreviation contained in the text data into at least one pseudo word (column 4, lines 6-10 and column 4, lines 60-62).

In regard to claim 3, Trader et al. disclose expanding the text data further comprises:

searching the text data for a numerical suffix (Fig. 3e, step 148, engine phrases are located, the engine phrase including the numerical suffix "L", see step 80m); and

expanding any numerical suffix contained in the text data into at least one pseudo word (the numerical suffix "L" is expanded to "litre engine", column 5, lines 26-30).

In regard to claim 4, Trader et al. disclose expanding the text data further comprises:

searching the text data for a telephone number (Fig. 3b, step 108, phone number patterns are found in the ad, column 4, lines 62-64); and

expanding any telephone number contained in the text data into at least one pseudo word (phone number information "555-1212" is expanded to "call Bob at 555-1212", see step 90c).

In regard to claim 5, Trader et al. disclose expanding the text data further comprises:

searching the text data for a number that includes a comma (Fig. 3c, step 126, "42,000" is located in the ad, column 5, lines 8-11); and

expanding any number that includes a comma contained in the text data into at least one pseudo word (number that includes a comma "42,000" is expanded to "42000", see step 90f).

In regard to claim 9, Trader et al. disclose the plurality of speech items includes a plurality of words, and wherein converting the sequence of text and pseudo words further comprises:

parsing the sequence of text and pseudo words to determine any words (parsing includes matching words in the ad vocabulary table, column 4, lines 10-19).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Trader et al., in view of Holm et al. (U.S. Patent 5,850,629).

In regard to claim 6, Trader et al. do not disclose searching the text for an Internet mail address and expanding any Internet mail address contained in the text data into at least one pseudo word.

Holm et al. teach expanding abbreviations and acronyms (Fig. 10) as well as ways to handle e-mail addresses (column 14, lines 15-21).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Trader et al. to locate and expand email addresses (in, for example, the location of contact info step) in order to properly pronounce text containing abbreviations containing e-mail addresses and also detect sentence boundaries.

In regard to claim 7, Trader et al. do not disclose searching the text data for an Internet Universal Resource Locator and expanding any Internet Universal Resource Locator in the text data into at least one pseudo word.

Holm et al. teach expanding abbreviations and acronyms (Fig. 10) as well as ways to handle e-mail addresses. Similar to e-mail, web addresses in URL format also constitute special abbreviations containing special characters, such as HTML tags.

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Trader et al. to locate and expand Internet Universal Resources Locators (in, for example, the location of contact info step), in order to properly pronounce text containing web addresses and other HTML related information.

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6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Trader et al., in view of Pearson et al. (U.S. Patent 6,114,939).

Trader et al. do not disclose parsing the sequence of text and pseudo words to determine any syllables.

Pearson et al. disclose a method for synthesizing speech using concatenation that parses a sequence of text and pseudo words to determine any syllables (Fig. 4a, step 76, column 6, lines 10-14).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Trader et al. to parse the sequence of text and pseudo words to determine any syllables so the vocabulary of the speech synthesizer would not be limited to only complete words that were stored in the audio database, as suggested by Pearson et al. (column 1, lines 14-25).

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hutchins (U.S. Patent 5,384,893), Huang et al. (U.S. Patent 5,905,972), and Sabourin (U.S. Patent 6,108,627) disclose additional concatenating text-to-speech synthesis methods that parse input text by phrases.


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian L. Albertalli whose telephone number is (571) 272-7616. The examiner can normally be reached on Mon - Fri, 8:00 AM - 5:30 PM, every second Fri off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on (571) 272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BLA 11/08/05



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